G.F.73

1923

Department of L R & Settl

OFFICE Bd of Rev

STATION Madras

No. 1585

Ins 1585

Dated 8/23

	Date	Initial
To whom sent	Given for copying	
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(SUBJECT.)

Ryotwari Loans - S Kanara Dt -
Coondapur Taluk - Kotteshwar Village
Jamabandi Por — order of Commissioner
regarding — Revision

Not to be filled in the case of permanent records.

F/328

Ref. C.2834-23-E3. South Kanara Collector's office,
Mangalore, 7th July 1923.

From

G. W. Wells, Esquire, M.A., I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue & Settlement,
M a d r a s.

Sir,

Advances (loans) Land Improvement Loans Act - Failure to complete the work within the time prescribed - summary recovery.

One Janardhan Poi of Koteshwar village, Coondapoor Taluk, was granted on 29th January 1920, under the Land Improvement Loans Act, a loan of Rs.60/- by the Tahsildar of Coondapoor for sinking a well within one year. The Divisional officer, Coondapoor inspected the work on 18th December 1921 and found that steining work had not been begun, but that the grantee had collected materials. On the representation of the grantee, the Divisional officer granted a further extension till the end of May 1922. The borrower, however, failed to complete the work even at the end of September 1922. Thereupon, the Tahsildar summoned the grantee to appear before him to explain his failure; but he never appeared. The Tahsildar again inspected the work on 31st December 1922, when he found that no progress had been made and accordingly, ordered the summary recovery of the unpaid balance under Rule XII of the Takkavi Manual by attachment and sale of the grantee's immoveable property. The grantee then appealed to the Divisional officer to set aside the Tahsildar's order regarding summary recovery. But he rejected the petition, on the ground that he could not interfere with the Tahsildar's order.

2. The grantee has now approached me in the matter. But I cannot find any provision in the Takkavi Manual -----

authorising me to interfere in this case. Under B.P.No. 95 dated 3rd August 1922, the maximum extension of time which may be granted is 24 months. But the grantee had been given 28 months' time before the receipt of the above B.P. and still he was unable to complete the work on the plea that one year coolies would not come to the village for fear of small-pox, and that in the next year, the rains set in unexpectedly early. But the real reason seems to be that the amount of the loan did not cover the cost of steining. The Divisional officer, to whom the petition was forwarded for report, states that the grantee had completed the work when he inspected it on 25th April 1923 and that it was worth the amount lent.

3. The point for consideration is whether, in view of the completion of the work now, the Tahsildar's order re the summary recovery of the unpaid balance of Rs.50-11-6 requires any revision. As I feel doubtful whether I can revise the Tahsildar's order, I make this reference for the Board's orders. Meanwhile, I have requested the Tahsildar to suspend summary recovery of the amount.

Your obedient servant,

9.7.23

Collector.

9.7.23

M.D'S.7/7.

Advances (Loans) — S. Kanara Dt. - Coondapoor Taluk - Kotashwar Village - Janardhan Poi — Order of summary recovery — Revision

7/1328/23 — Q

Rev (Jud) 1585/14-7-23

The Collr: is permitted to revise the Tahsildar's order of summary recovery.

14-7-23

17/7

To the Collr: of S. Kanara

R.F.D—91—3-10-11

OFFICE NOTE.

Subject. Advances - Loans - S. Kanara Dt - Coondapur Tk - Kotishwar village - Janardhan Boi - Summary recovery

FROM The Coll² of S Kanara

Register No. 7 1328

To S

Please see the letter from the Coll² of S Kanara

2. Under note 3 to Rule XXVI of the Revised Loan Rules as amended by Bl No 95 dt 3.8.22, Divisional Officers & Collectors are competent to grant extension of time upto 24 months for the completion of a work. No such limit is fixed in the case of the Board. It is reported that the borrower has since completed the work & that it is worth the amount lent. The amount of the loan is only Rs 60. For orders whether the Coll² may be permitted to revise the Tahsildar's order of summary recovery

175 T. Loan Manual (e)

Coll²'s letter.

Yes. Ins

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Draft submd. at p. 2, c f

JSA
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